

**LEWIS
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E-Filed on 10/16/09

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,¹

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,
LLC,²

USA SECURITIES, LLC,³

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**NOTICE OF HEARING REGARDING
OBJECTION OF USACM
LIQUIDATING TRUST TO PROOFS
OF CLAIM FILED BY FRANK
SNOPKO TRUSTEE OF THE SNOPKO
1981 TRUST DATED 10/27/81 FOR
LACK OF DOCUMENTATION; AND
CERTIFICATE OF SERVICE**

Hearing Date: December 18, 2009

Hearing Time: 1:30 p.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM
THAT YOU FILED. The USACM Trust seeks to disallow your claims.**

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

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PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP CONSULTING, LLC (602-424-7009) OR TO THE UNDERSIGNED COUNSEL. IF YOU HAVE DOCUMENTATION TO SUPPORT YOUR CLAIM SUPPLY IT TO UNDERSIGNED COUNSEL WITHOUT DELAY.

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust by and through its counsel, has filed an Objection of USACM Liquidating Trust to Proofs of Claim Filed By Frank Snopko Trustee of the Snopko 1981 Trust Dated 10/27/81 for Lack of Documentation (the "Objection"). The USACM Trust respectfully requests that the Court enter an order pursuant to § 502 of title 11 of the United States Code (the "Bankruptcy Code") disallowing your claims against USACM.

NOTICE IS FURTHER GIVEN that the hearing on the Objection will be held before the Honorable Linda B. Riegler, U.S. Bankruptcy Court Judge in the Foley Federal Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on **December 18, 2009, at the hour of 1:30 p.m.**

NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON DECEMBER 18, 2009, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE HEARD ON THAT DATE.

NOTICE IS FURTHER GIVEN that any response to the Objection must be filed by **December 11, 2009,** pursuant to Local Rule 3007(b), which states:

If an objection to a claim is opposed, a written response must be filed and served on the objecting party at least 5 business days before the scheduled hearing. A response is deemed sufficient if it states that written documentation in support of the proof of claim has already been provided

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to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on that matter.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: October 16, 2009.

LEWIS AND ROCA LLP

By: /s/ John Hinderaker (# 18024)

Rob Charles, NV 6593

John C. Hinderaker, AZ 18024 (*pro hac vice*)

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Attorneys for the USACM Liquidating Trust

Copy of the foregoing mailed by first class Postage prepaid U.S. mail On October 16, 2009 to:

Frank Snopko,
Trustee of the Snopko 1981 Trust Dated 10/27/81
c/o Stephen R. Harris, Esq.
Belging Harris & Petroni, Ltd.
416 W. Plumb Lane
Reno, NV 89509

/s/ Leilani Lista
Lewis and Roca LLP